IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

MONDAY, THE 22ND JANUARY 2007 / 2ND MAGHA 1928

WP(C).No. 2464 of 2007(R)

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PETITIONER:

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ANIL K., S/O. KERALA VARMA,
WORK SUPERINTENDENT, GRADE II OVERSEER,
THIRUVALLA MUNICIPALITY, THIRUVALLA.

BY ADV. SRI.MILLU DANDAPANI

RESPONDENTS:

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1. THE STATE OF KERALA,
REPRESENTED BY SECRETARY TO GOVERNMENT
(LOCAL SELF GOVERNMENT DEPARTMENT),
THIRUVANANTHAPURAM.

2. THE DIRECTOR,
MUNICIPAL ADMINISTRATION, THIRUVANANTHAPURAM.

3. THE DIRECTOR,
URBAN AFFAIRS, THIRUVANANTHAPURAM.

4. P.S. VINOD,
GRADE II OVERSEER, CHAVAKADU MUNICIPALITY.

5. J. GOPINATHAN NAIR,
GRADE II OVERSEER, KOZHIKODU MUNICIPALITY.

6. RAJAN,
GRADE II OVERSEER, VADAKARA MUNICIPALITY.

7. C.K. SUBRAHMANIAM,
GRADE II OVERSEER, KALPETTA MUNICIPALITY.

8. S.G.SURESH,
GRADE II OVERSEER, KOZHIKODU MUNICIPALITY.

9. T.V. RADHAKRISHNAN,
GRADE II OVERSEER, KOZHIKODU MUNICIPALITY.

10. T.T.VIMAL KUMAR,
GRADE II OVERSEER, KOZHIKODU MUNICIPALITY.

11. M.P. GOPALAKRISHNAN,
GRADE II OVERSEER, QUILANDY MUNICIPALITY.

12. G.BABU RAJAN,
GRADE II OVERSEER, IRINJALAKUDA MUNICIPALITY.

R1 TO 3 BY GOVT. PLEADER SHRI. BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 22/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**K.K. DENESAN, J.**

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**W.P.(C) No. 2464 OF 2007 R**
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**Dated this the 22nd January, 2007**

**J U D G M E N T**

The petitioner is a member of the Panchayat Common Service. The petitioner belongs to the cadre of Grade III Overseer. According to him, respondents 4 to 12 who have been promoted to the post of Grade II Overseer do not have the requisite qualification, and therefore, their promotion to the higher category overlooking the seniority and qualification of the petitioner is liable to be interfered with. The party respondents were promoted on an earlier occasion to the post of Overseer but were reverted subsequently. The order of promotion marked as Ext. P2 is sought to be set aside. It is seen that the petitioner has represented his grievance before respondents 1 and 2 by filing Ext. P7 and P6 representations respectively. Detailed contentions have been raised in Ext. P7 filed before the 1st respondent. Counsel for the petitioner therefore submits that if the 1st respondent looks into the grievance of the petitioner as highlighted in Ext. P7, it will be relief for the petitioner at this stage.

2. Heard the Govt. Pleader also.

3. In the circumstances, the 1st respondent is directed to consider Ext. P7 on merits after issuing notice to the petitioner and respondents 4 to 12 and take appropriate decision in accordance with law. This shall be done within three months from the date of receipt of a copy of the judgment.

The petitioner shall produce a copy of this judgment along with a copy of the writ petition before the 1st respondent for due compliance.

**K.K. DENESAN**
**JUDGE**

jan/